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**REMARKS**

For the convenience of the Examiner, this Amendment After Final is organized under appropriate subheadings.

**Amendment to Claim 19**

Claim 19 has been amended to incorporate the limitations of the pending claims from which it depends (Claims 14-17). Support for amendments to Claim 19 can be found in the specification and original Claims 14-17. No new matter has been added. Entry is requested.

**Rejection of Claims 14-17, 20-22, 28-30, 34, 36 and 37 Under 35 U.S.C. §103(a)**

Claims 14-17, 20-22, 28-30, 34, 36 and 37 are rejected under 35 U.S.C. §103(a) as being unpatentable over PCT Application No. PCT/US98/25,650 by Warren, S. (hereinafter "Warren"), Matysiak, *et al.*, *Nucleosides and Nucleotides*, 16:855-861 (1997) (hereinafter "Matysiak"), U.S. Patent No. 6,057,431, issued to Ishihara, *et al.* (hereinafter "Ishihara"), Gao, Q., *et al.*, *Proc Nat'l Acad. Sci. USA*, 88:2422-2426 (1991) (hereinafter "Gao") and U.S. Patent No. 5,817,343, issued to Burke, P.A. (hereinafter "Burke"). The Examiner stated that the basis for the rejection under 35 U.S.C. §103(a) was for the reasons set forth in the Office Action mailed on June 27, 2003. In addition, the Examiner stated that the delivery systems designed by Warren must be physiologically compatible to deliver drugs in a physiological system and, hence, are soluble under physiological conditions. The Examiner also stated that Gao teach nucleotide-drug delivery complexes that are not covalently attached. The Examiner further stated that the references cited teach nucleotide drug-carriers in complexes comprising nucleotides as carriers (Gao) or as drugs (Matysiak, Ishihara, Burke).

Applicants have canceled Claims 14-17, 20-22, 28-30, 34, 36 and 37 thereby obviating the rejection.

**Rejection of Claims 14-17, 19-22, 28-30 and 34-37 Under 35 U.S.C. §112, Second Paragraph**

Claims 14-17, 19-22, 28-30 and 34-37 are rejected under 35 U.S.C. §112, second paragraph as being indefinite for failing to particularly point out and distinctly claim the subject matter which Applicants regard as the invention. In particular, the Examiner stated that it was unclear what was meant by the term "double-stranded nucleotide" or "single-stranded

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nucleotide." In addition, the Examiner stated that is was uncertain, with respect to Claim 14, lines 4-5, whether the solubility of the polymer component refers to the polymer component alone or after it is covalently attached to the polynucleotide portion of the carrier.

The term "nucleotide" is defined in the specification, for example, at page 11, line 7-12. One of skill in the art would understand what the word "double," "single" and "stranded" refers to when referring to a nucleotide as defined by Applicants. Therefore, the terms, "single-stranded nucleotide" and "double-stranded nucleotide" are clear.

Applicants have canceled 28-30 and 34-37, which are directed to drug-carrier complex and a drug-carrier which include a single-stranded nucleotide thereby obviating the rejection with respect to "single-stranded nucleotide."

Applicants have amended Claim 19 to clarify that the aqueous solubility refers to the polymer component.

Claim 19, as amended, meets the requirements of 35 U.S.C. §112, second paragraph.

#### Allowable Subject Matter

The Examiner stated that Claim 19 was free of the prior art.

Applicants have amended Claim 19 to include the limitations of all claims from which it depends. Therefore, Claim 19 has been placed in condition for allowance.

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**SUMMARY AND CONCLUSION**

In view of the above amendments to Claim 19 and the cancellation of certain claims and remarks, it is believed that Claim 19 is in condition for allowance, and it is respectfully requested that the application be passed to issue. If the Examiner feels that a telephone conference would expedite prosecution of this case, the Examiner is invited to call the undersigned at (978) 341-0036.

Respectfully submitted,

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